

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

754S0261

HOUSE BILL NO. 1178

Introduced by: Representatives Nelson (Stace), Bolin, Gosch, Greenfield, Hansen (Jon), Hoffman, Hubbel, Jensen, Kopp, Liss, Magstadt, Miller, Moser, Olson (Betty), Russell, Solum, Steele, Stricherz, and Verchio and Senators Maher, Lederman, Nygaard, Rampelberg, and Rhoden

1 FOR AN ACT ENTITLED, An Act to restrict the entry of conservation officers onto certain
2 private land without permission.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 41-2 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 No conservation officer may, in the course of performing the ordinary duties of a
7 conservation officer, enter any private land unless the conservation officer has the permission
8 of the landowner or the lessee. However, any conservation officer may enter any private land
9 without permission:

10 (1) If reasonable suspicion or probable cause exists that a violation of a law that the
11 conservation officer is authorized to enforce has been, is being, or is about to be
12 committed;

13 (2) To investigate a report of illegal hunting, fishing, or trapping activity;

14 (3) To dispatch crippled or distressed wildlife;



- 1 (4) To respond to emergency situations, accidents, or other threats to public safety.